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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dennis T. Mangano

Serial No.: 09/426,792

Group Art Unit: 1614

Filed: October 22, 1999

Examiner: P. Spivack

For: **METHODS FOR REDUCING
MORTALITY AND MORBIDITY BY
POSTOPERATIVE ADMINISTRATION
OF A PHARMACOLOGIC
CARDIOVASCULAR AGENT**

Attorney Docket No.:
9114-004-999

18
Oct 22 2000
P. Spivack

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56 and 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §§ 1.56 and 1.97 to inform the U.S. Patent and Trademark Office ("PTO") of all references coming to the attention of each individual associated with filing and prosecution of the subject application which are or may be material to the examination of the subject application, Attorneys for Applicants hereby invite the Examiner's attention to the references listed on the accompanying revised PTO Form 1449 entitled "List of References Cited".

Identification of references listed on PTO Form 1449 is not to be construed as an admission of Applicants or attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited." The right is reserved to antedate any item in accordance with standard procedure.

This submission is understood to complement the results of the Examiner's own independent search. The submission should not be construed as a representation that a search was made, or that the cited items are inclusive of all the relevant and material citations that may be available publicly.

References cited in this "List of References Cited" were also cited by the Applicants or the Examiner in parent application U.S. Serial No. 08/787,056, filed December 3, 1996. Accordingly, copies of these cited references are not enclosed, but may be found in the file history of U.S. Serial No. 08/787,056. — *Pathak*

Applicants respectfully request that the Examiner review the references cited in the enclosed List of References, and that they be made of record in the file history of the above-captioned application.

This Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits and before the mailing date of either a final office action or a notice of allowance. Thus, in accordance with 37 C.F.R. § 1.97(c), please charge the required fee, set forth in 37 C.F.R. § 1.17(p), estimated to be \$120.00 for a small entity, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this document is enclosed.

Respectfully submitted,

Dated: October 6, 2000


Rahul Pathak

42,983

(Reg. No.)

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Enclosure